

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**DOUGLAS EUGENE MARTIN,**

**Defendant.**

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**Case No. 2:08-cr-57-MEF-SRW**

**MOTION FOR EXTENSION OF TIME TO FILE OBJECTIONS TO  
RECOMMENDATION OF THE MAGISTRATE JUDGE**

Comes now the Defendant, by and through undersigned counsel, and moves this Honorable Court to enter an Order granting an extension of time within which to file objections to the Recommendation of the Magistrate Judge entered on August 25, 2008, and as grounds, therefore states as follows:

1. On August 25, 2008 the Honorable Magistrate Judge Susan Russ Walker entered an Order denying the Defendant's Motion to Suppress.
2. Defendant's objections to the Magistrate's Recommendation are currently due on Friday, September 5, 2008.
3. On September 2, 2008 discussions took place in chambers between Attorney for the Defendant, Assistant U.S. Attorney Matt Shepherd and this Honorable Court.
4. This Honorable Court advised that the trial of this matter was being continued.

5. As a result of this continuance, Defendant respectfully request that he be allowed an extension of time within which to file any objections to the Recommendation of the Magistrate Judge.

WHEREFORE, above premises considered, Defendant respectfully moves this Honorable Court to grant an extension of time for the filing of objections to Recommendation of Magistrate Judge.

s/ DAVID S. LUKER

**ASB-6647-E32D**

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ATTORNEY FOR THE DEFENDANT

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 3<sup>rd</sup> day of September 2008, the above and foregoing was filed with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Assistant U.S. Attorney Tommie Brown Hardwick

Assistant U.S. Attorney Matthew W. Shepherd

S/ DAVID S. LUKER

ATTORNEY FOR THE DEFENDANT